IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 5TH JUNE 2007 / 15TH JYAISHTA 1929

WP(C).No. 16996 of 2007(W)

PETITIONER:

BABU PHILIP, MAZHUVANCHERRY PARAMBATH,
M.G.ROAD,(NORTH END), ERNAKULAM.

BY ADV. SRI.KURIAN GEORGE KANNAMTHANAM (SR.)
SRI.TONY GEORGE KANNANTHANAM

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY, REVENUE DEPARTMENT,
GOVERNMENT SECRETARIAT, TRIVANDRUM.

2. THE DISTRICT COLLECTOR, ERNAKULAM.

3. THE REVENUE DIVISIONAL OFFICER,
FORT COCHIN.

4. TAHSILDAR, KANAYANNUR TALUK,
ERNAKULAM.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) No. 16996 OF 2007

Dated this the 5th day of June, 2007

J U D G M E N T

The petitioner challenges Ext.P3 order directing the petitioner to vacate the land in question within twenty four hours. The petitioner submits that pursuant to the same, the respondents have taken action to possess the property in question. The petitioner has filed Ext.P5 appeal and Ext.P5(a) stay petition before the 3rd respondent. Apart from that, the petitioner, by filing Ext.P6 representation has made another request that since in between M.G. Road and the alleged puramboke land in question, admittedly there is some property belonging to the petitioner, the petitioner may be permitted to surrender the proportionate property belonging to the petitioner by the side of M.G. Road. The petitioner seeks a direction to the Government to consider Ext.P6 representation filed by him in this regard.

2. Having heard the learned counsel for the petitioner as also the learned Government pleader, I dispose of this writ petition with the following directions.

The 3rd respondent shall consider and pass appropriate orders on Ext.P5 as expeditiously as possible, at any rate, within three months. Till disposal of Ext.P5 appeal, there would be a stay of further proceedings pursuant to Ext.P3. There would also be a direction to the 1st respondent to consider Ext.P6 representation filed by the petitioner putting forward a proposal to surrender the proportionate land belonging to him in lieu of the alleged Government land proposed to be taken over. This also shall be done within the above said period.

S. SIRI JAGAN,
Judge

Acd/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:13-02-2007